

OKLAHOMA STATE BOARD OF PHARMACY

*Newsletter to Promote Pharmacy
and Drug Law Compliance.*

26.178 Emergency Declaration Reminder: PBM Deadlines and Pharmacy Audits Are Paused in Affected Counties

When an emergency or disaster declaration is issued for one or more Oklahoma counties, Oklahoma law provides temporary protection for pharmacies located in the declared area. These protections are designed to reduce administrative burden and give pharmacies time to focus on patient care and recovery.

Below-cost reimbursement appeals:

If you are a pharmacy (or acting through a representative or a pharmacy services administrative organization [PSAO]), the deadline to file a below-cost reimbursement appeal is paused for the duration of the disaster declaration and will continue to be paused for an additional 30 calendar days after the declaration ends. During this tolled period, a pharmacy benefit manager (PBM) may not deny a below-cost appeal solely because it was filed "late." Nothing in the law prevents a pharmacy, its representative, or a PSAO from continuing to submit below-cost appeals during the tolling period; the tolling provision simply

preserves your right to file within the paused time frame (59 Oklahoma Statutes [OS] §360.1).

PBM audits: A PBM's ability to initiate, continue, or conclude an audit of a pharmacy is also paused during the declaration and for 30 calendar days afterward for pharmacies located within the affected county or counties. Limited exceptions apply for audits involving documented suspected fraud or audits required by federal or state law unrelated to the PBM-pharmacy contract. A pharmacy may voluntarily agree in writing to proceed with an audit during the tolling period, and a PBM may request permission from the attorney general to continue an audit during the tolling period (59 OS §356.6).

Pharmacies should document any disaster-related operational impacts and retain related records. For questions about these provisions, contact the Oklahoma attorney general's PBM Compliance and Enforcement Unit or visit its website.

Access the National Pharmacy Compliance News

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26.179 Absence of Pharmacist-In-Charge

If a pharmacist-in-charge (PIC) is absent for an extended period, such as due to a leave of absence, surgery, or travel abroad, it is advisable to

appoint a temporary PIC. As the PIC, you are responsible for all activities within the licensed entity. Please ensure that a PIC change of

inventory is completed and sent to pharmacy@pharmacy.ok.gov.

26.180 Immunizing Technicians

This is a reminder that any technician with an immunization registration must have their immunization permit and current

CPR certification posted in the pharmacy. They also need to have their one-hour immunization-related continuing education (CE) from the

prior year readily available upon inspection.

26.181 Security Requirements

With the recent updates to our rules regarding alarm and camera systems in the pharmacy, please take a moment to verify that all

security systems are in working order and that the date and time stamp on all video recordings are accurate and properly synchronized.

Maintaining correct time stamps is essential to ensuring compliance and to support any necessary reviews or investigations.

26.182 Hood Certification

To ensure compliance and maintain the highest standards of safety and quality, all hoods used for sterile and nonsterile compounding, including both hazardous and non-hazardous, must remain properly

certified at all times. Please take personal responsibility for verifying the certification status of the hood(s) in your pharmacy. Check the certification sticker, review the dates, and confirm that the certification

has not expired. Do not rely solely on the assumption that someone will automatically arrive to perform semiannual or annual recertification.

26.183 Expired Drug Removal

Per Oklahoma Administrative Code (OAC) 535:15-3-11(c), expired drugs must be removed from active inventory upon expiration. Removing these expired drugs from the pharmacy must occur within six

months of expiration. This includes either returning the medication to the supplier or shipping it to a reverse distributor for proper destruction. Please do not rely on a reverse distributor to automatically

schedule or complete this process. It is essential that you take an active role in monitoring expiration dates and ensuring the timely removal and documentation of expired medications.

26.184 Compounding Competency Test

Per OAC 535:15-10-3(f)(3), a written initial competency test covering the required compounding

materials must be administered and successfully passed upon initial

hire or prior to an employee being assigned to compound preparations.

26.184 Compounding Competency Test

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During recent inspections, we have identified instances where written, documented exams were not available. Please ensure that all required written examinations are completed, appropriately aligned with the level and type of

compounding being performed, and maintained on file for inspection. Documentation must be readily accessible and reflective of the specific compounding responsibilities assigned. The

PIC has the responsibility to ensure that all compounders who compound pharmaceuticals meet all requirements for training, testing, and education set forth in Board regulations.

26.185 An Important Message From OBNDD

The Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDD) has seen a significant uptick in smash-and-grab-style burglaries at pharmacies in recent weeks. There is no real method for burglars outside of hastily breaking in the building and grabbing whatever pills they can, hoping to get something they want. Many pharmacies have their controlled dangerous substance (CDS) stock dispersed among the non-CDS stock of drugs. Several reports

have indicated that burglaries were unsuccessful when pharmacies locked their CDS supply into a safe or safe rooms at night. There is also indication that burglars are quickly checking bottle names, in instances where pharmacies store their drugs alphabetically, and hoping to get their desired drug by simply swiping entire shelves. OBNDD recommends that all pharmacies dispersing CDS versus locking CDS in a safe consider how they might better secure their stock. It

is further recommended by OBNDD that any pharmacy alphabetizing its storage of drugs also seek out more anonymous and secure ways of storing CDS. For pharmacies that use safes to store their CDS, recent cases have shown that safes placed on an exterior wall are not ideal, as this allows the burglars an almost unlimited amount of time to cut through the exterior wall and then into the safe without any sort of alarm being triggered inside the store.

26.186 Frequently Asked Question on Independent Prescriptive Authority for Nurse Practitioners, Due to House Bill 2298

Are there any changes related to what information nurse practitioners are required to include on their prescriptions?

Yes. If granted independent prescriptive authority, nurse practitioners will no longer be required to include the name of a supervising physician on their prescriptions. However, nurse practitioners should include **"Independent Rx Authority"** on their prescriptions.

26.187 Disciplinary Actions

Vernice Williams, Technician #32215 – Case No. 1720: May appear before the Board after August 13, 2027, for permission to reapply for a pharmacy technician permit. Found guilty on three counts, including theft while working as a registrant. **Revoked.**

Arial Mickish, Technician #29642 – Case No. 1724: Guilty on four counts, including theft of CDS. **Permanently Revoked. Fined \$2,000.**

Jervaris Hollingsworth, Technician #26238 – Case No. 1726: May appear before the Board after August 13, 2030, for permission to reapply for a pharmacy

26.187 Disciplinary Actions

(cont)

technician permit. Found guilty on two counts, including abuse of alcohol or drugs, use of an illegal CDS, or testing positive for such substance or its metabolite, which is a violation of registrant conduct. **Revoked.**

Scott Holle, DPh #12574 – Case No. 1732: Respondent shall attend a one-day (eight-hour) law seminar during the years 2026 and 2027 in addition to the required 15 hours of CE for each year. All required CE in 2026 and 2027 shall be live and include a minimum of one hour of CE focused on pharmacy ethics. Guilty on five counts, including that a pharmacist must refrain from any attempt at diagnosis or treatment that might infringe upon the legally constituted right or obligation of any licensed practitioner or mid-level practitioner. **Fined \$7,500.**

Jordan Herrman, DPh #18528 – Case No. 1741: Respondent's license is suspended for 30 days. Respondent will not be allowed to be a PIC any time before February 4, 2031, unless permission is obtained from the Board's executive director. Respondent shall attend a one-day (eight-hour) law seminar during the calendar years 2026 through 2035, in addition to the required 15 hours of CE for each year. All required CE during the years 2026 through 2035 shall be live and include a minimum of three hours of CE focused on pharmacy ethics. Guilty on 382 counts, including that at no time may a pharmacist substitute or cause to be substituted any drug, medicine, chemical, or pharmaceutical preparation without the authority of the prescriber or purchaser. **Fined \$57,000.**

Terry Holbrook, DPh #13357 – Case No. 1742: Respondent's license is suspended for 30 days. Respondent will not be allowed to be a PIC any time before February 4, 2031, unless permission is obtained from the Board's executive director. Respondent shall attend a one-day (eight-hour) law seminar during the calendar years 2026 through 2035, in addition to the required 15 hours of CE for each year. All required CE during the years 2026 through 2035 shall be live and include a minimum of three hours of CE focused on pharmacy ethics. Guilty on 382 counts, including that at no time may a pharmacist substitute or cause to be substituted any drug, medicine, chemical, or pharmaceutical preparation without the authority of the prescriber or purchaser. **Fined \$57,000.**

Bennett's Route 66 Pharmacy, #29-6213 – Case No. 1743: Respondent shall reevaluate its current policy and procedure regarding proper billing/billing compliance, adjudication of correct claim billing, and the prevention of fraudulent acts to ensure that effective controls against improper billing and fraudulent acts are in place. Respondent shall also develop a policy and procedure for ensuring that said policy and procedure are followed and maintained by respondent and its staff. All pharmacists and pharmacy technicians employed by the respondent shall complete at least three hours of training in fraud or ethical decision making by December 31, 2026. Respondent shall perform and produce monthly purchasing versus dispensing reconciliation reports for all drugs through February 2029. Guilty on 380 counts, including fraudulent billing or submitting false reports to a third-party payer of prescription drugs. **Fined \$274,000.**

(Impaired DPh) #11791 – Case No. 1745: Respondent's license is indefinitely suspended until they have a "fit for duty" evaluation and receive support from Oklahoma Pharmacists Helping Pharmacists (OPHP), as well as appear before the Board for reinstatement of their license. Respondent will enter into and remain compliant with a 10-year contract with OPHP. Respondent shall attend a one-day (eight-hour) law seminar during the years 2026 and 2027, in addition to the required 15 hours of CE for each year. All required CE in 2026 and 2027 shall be live. Respondent shall complete an OPHP-approved "substance use disorder" conference or seminar before December 31, 2028. Guilty on four counts, including abuse of alcohol or drugs, use of an illegal CDS, or testing positive for such substance or its metabolite, which is a violation of registrant conduct.

William Paschen, Technician #32099 – Case No. 1747: Guilty on four counts, including theft of CDS. **Permanently Revoked.**

Megan Thulin, DPh #16414 – Case No. 1749: Respondent shall attend a one-day (eight-hour) law seminar during the years 2026 and 2027, in addition to the required 15 hours of CE for each year. All required CE in 2026 and 2027 shall be live. Guilty on six counts, including that the health and safety of patients shall be a registrant's first consideration. **Fined \$4,500.**

26.187 Disciplinary Actions

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Laynee Burch, Technician #31865 – Case No. 1750:
May appear before the Board after February 4, 2028, for approval for reinstatement of permit. Respondent is assessed a fine of \$500 to be paid if she receives

approval from the Board for reinstatement. Guilty on three counts, including theft while working as a registrant. **Revoked.**

Calendar Notes

Upcoming Holiday: The Board office will be closed on May 25, 2026, for Memorial Day.

New Fax Number

When sending faxes to the Board office, please use 405/900-8365. Please discontinue using 405/521-3758 to send faxes.

Change of Address or Employment?

Please be diligent in keeping your information up to date and, if possible, remind your coworkers and employees. Failure to notify the Board is a violation of Oklahoma pharmacy law. All pharmacists, technicians, and interns must notify the Board in writing within 10 days of a change of address or employment. Address and employment changes can no longer be made on the online renewal system. Emailed notifications can be sent to pharmacy@pharmacy.ok.gov or faxed to 405/900-8365. License/permit numbers must be included to be accepted.

Cooking With Compliance

Submitted by Darrell Switzer

Switzer's Simple Southern Chopped Steak	
Ingredients:	
<ul style="list-style-type: none">• 2 lb ground beef• 1 beaten egg (or substitute ½ cup milk)• ¼ cup finely chopped onion• ½ cup breadcrumbs• 1 tsp pepper	<ul style="list-style-type: none">• 1 tsp salt• ¼ cup chopped bell pepper• ½ tsp marjoram• ½ tsp garlic powder
Instructions	
<ol style="list-style-type: none">1) Mix all ingredients together, including the beef, until blended just enough to keep patties tender. Do not overmix.2) Form into 8 oval patties (about 4 oz each).3) Air Fryer Method: Preheat air fryer to 400°F. Air fry 10-14 minutes, flipping once halfway, or until internal temp hits 160°F and browned. Broiler Method: Preheat broiler to high. Place patties on a broiler pan or wire rack over a baking sheet. Broil 4-6 inches from heat for 5-7 minutes per side, flipping once halfway, until internal temp hits 160°F and browned.	

Special Notice About the Newsletter

The *Oklahoma State Board of Pharmacy Newsletter* is an official method of notification to pharmacies, pharmacists, pharmacy interns, and pharmacy technicians registered by the Board. Please read them carefully. We encourage you to keep them for future reference.

Oklahoma Pharmacists Helping Pharmacists

If you or a pharmacist you care about is suffering from chemical dependency, there is a solution. OPHP is readily available for help. Pharmacists in Oklahoma, Texas, and Louisiana may call the OPHP Helpline at 1-800/260-7574, ext 5773. All calls are confidential.

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